

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JONATHAN DAVID DREW,	§	
TDCJ-CID #1019606,	§	
Petitioner,	§	
	§	
v.	§	Civil Action No. H-13-0059
	§	
RICK THALER,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
Respondent.	§	

**RESPONDENT'S UNOPPOSED SECOND MOTION FOR
EXTENSION OF TIME WITH BRIEF IN SUPPORT**

This is a habeas corpus case brought by a Texas state prisoner, Jonathan David Drew, under 28 U.S.C. § 2254. By order of the Court, Respondent Rick Thaler (the Director) has until April 10, 2013, to respond to the petition. This motion for extension of time is being filed on April 10, 2013, and is thus, timely filed.

The Director requests a fourteen day extension due to the undersigned's present caseload. During the last thirty days, the undersigned has filed three lengthy responsive pleadings in other federal habeas cases, and begun drafting another. Furthermore, the undersigned currently has fifteen other habeas cases that require a response, which have been given a preliminary assessment. Also, the undersigned missed multiple days due to illness and the Easter holiday. Consequently, additional time is required to review the records and prepare a responsive pleading in this case.

This is the Director's second and final request for an extension of time in this cause. This request is not designed to harass Drew, nor to unnecessarily delay these proceedings, but to ensure that Petitioner's federal habeas corpus claims are properly addressed. Accordingly, the Director respectfully requests an extension of fourteen days, up to and including April 24, 2013, to file his answer.

CONCLUSION

The Director respectfully requests that his Second Motion for Extension of Time be granted.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

DON CLEMMER
Deputy Attorney General
for Criminal Justice

EDWARD L. MARSHALL
Chief, Postconviction Litigation
Division

s/ Craig W. Cosper
CRAIG W. COSPER*
Assistant Attorney General
State Bar No. 24067554
Southern District No. 1031568

*Lead Counsel

P. O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 936-1400
Facsimile No. (512) 936-1280

ATTORNEYS FOR RESPONDENT

CERTIFICATE OF CONFERENCE

I, Craig W. Cospers, Assistant Attorney General of Texas, do hereby certify that opposing counsel, Randy Schaffer, confirmed by electronic mail that he is unopposed to this motion.

s/ Craig W. Cospers
CRAIG W. COSPER
Assistant Attorney General

CERTIFICATE OF SERVICE

I do hereby certify that on April 10, 2013, I electronically filed the foregoing pleading with the Clerk of the Court for the U.S. District Court, Southern District of Texas, using the electronic case-filing system of the Court. The electronic case-filing system sent a "Notice of Electronic Filing" to the following attorney of record, who consented in writing to accept this notice as service of this document by electronic means:

Randy Schaffer
1301 McKinney Ave.
Suite 3100
Houston, Texas 77010

s/ Craig W. Cospers
CRAIG W. COSPER
Assistant Attorney General